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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richey, II

Examiner:

Serial No.: 09/967,274

Art Unit: 3761

Filed: September 27, 2001

For: **CARBON DIOXIDE-BASED  
BI-LEVEL CPAP CONTROL**

Attorney Docket No.: 12873/04169

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This Information Disclosure Statement is being filed to fulfill the duty of candor and good faith toward the Patent and Trademark Office, as required pursuant to 37 C.F.R. § 1.56.

Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above, and that a reasonable Examiner would consider important when deciding whether to allow the application. The Examiner's attention is particularly drawn to the following references:

U.S. Patent No.

5,546,933

6,299,581

Re. 35,339

U.S. Patent Application Publications

US 2001/0004894 A1

RECEIVED

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TECHNOLOGY CENTER R3700

U.S. Patent No.U.S. Patent Application Publications

4,655,213

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U.S. Patent No.

U.S. Patent Application Publications

5,279,289

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6,135,106

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5,335,654

5,535,739

This document is not to be construed as a representation that a search to locate the most relevant information has been made, nor a representation that more pertinent information does not exist.

Copies of the information listed on the attached PTO Form 1449 are provided herewith.

The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law.

This Information Disclosure Statement is being filed within three months of the filing of the subject application and/or prior to an Office Action. Accordingly, it is not believed that any fee is required relating to the filing of this Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.

Respectfully submitted,

By: Nenad Pejic  
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